

House Joint Resolution 2011 - Introduced

HOUSE JOINT RESOLUTION 2011

BY UPMEYER, DEYOE, DRAKE,
WATTS, HEATON, SCHULTE,
SODERBERG, RAECKER,
CHAMBERS, SWEENEY, HUSEMAN,
ALONS, KOESTER, L. MILLER,
FORRISTALL, TJEPKES,
S. OLSON, SANDS, DOLECHECK,
SORENSEN, COWNIE, GRASSLEY,
MAY, ROBERTS, WINDSCHITL,
MERTZ, PETTENGILL, KELLEY,
ANDERSON, and DE BOEF

HOUSE JOINT RESOLUTION

1 A Joint Resolution urging Congress not to institute new federal
2 review, oversight, or preemption of state health insurance
3 laws as Congress considers health care reform.

4 WHEREAS, the Tenth Amendment to the United States
5 Constitution states that, "the powers not delegated to the
6 United States by the Constitution, nor prohibited by it to the
7 States, are reserved to the States respectively, or to the
8 people"; and

9 WHEREAS, the states primarily regulate today's health
10 insurance market and provide aggressive oversight of all
11 aspects of this market and enforce consumer protection as well
12 as ensure a local, responsive presence for consumers; and

13 WHEREAS, the state-based system of regulation of health
14 insurance has served all interests well; and

15 WHEREAS, the United States Congress is considering
16 legislation that may impose restrictions on the states' ability
17 to regulate health plans, including overriding already adopted
18 state patient protections; and

19 WHEREAS, the federal government should regulate health plans
20 only where it is given authority under the Employee Retirement
21 Income Security Act (ERISA) and allow the states to continue to

House Joint Resolution 2011 - Introduced

22 regulate all other plans within their borders and with their
23 existing regulatory expertise without federal intervention; and

24 WHEREAS, the creation of a new federal system of regulation
25 for health insurance would be inefficient, unnecessary, not
26 cost-effective, and an additional burden on the health care
27 delivery system; and

28 WHEREAS, private sector health plans are leaders in
29 innovations to improve quality, benefits, and customer service
30 that government-sponsored health plans have been slow to
31 adopt; and

32 WHEREAS, Congress is considering legislation that would
33 create a federal health insurance exchange or connector to
34 facilitate the purchase of health insurance by individuals
35 and small employers, including offering a new public plan
36 option; and

37 WHEREAS, a federal exchange would create conflicting state
38 and federal rules, resulting in consumer confusion and leading
39 to adverse selection; and

40 WHEREAS, a federal exchange would require substantial
41 resources to create a new federal entity that duplicates
42 functions currently being performed by states; and

43 WHEREAS, a federal exchange would undermine states'
44 oversight role in health insurance and cause a substantial
45 shift in the regulation of the health insurance market from the
46 states to the federal government; and

47 WHEREAS, a federal exchange would undermine state authority
48 to design programs that reflect local needs; and

49 WHEREAS, a new public plan would not improve competition,
50 but would result in an uneven playing field that would shift
51 costs to the private sector and undermine private plans; and

52 WHEREAS, a new public health insurance plan would be subject
53 to constant federal changes; and

54 WHEREAS, a new public plan is unnecessary in light of
55 the private sector's product offerings and innovations; NOW
56 THEREFORE,

57 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 That the General Assembly of the State of Iowa urges Congress
2 not to institute new federal review, oversight, or preemption
3 of state health insurance laws; not to create a federal health
4 insurance exchange or connector; and not to create a federal
5 health insurance plan (public plan) option.

6 BE IT FURTHER RESOLVED, That copies of this Joint Resolution
7 be transmitted to all governors and all members of the United
8 States Senate and the United States House of Representatives.

9 EXPLANATION

10 This bill is a joint resolution by the senate and house
11 of representatives urging the United States Congress not to
12 institute new federal review, oversight, or preemption of state
13 health insurance laws as it considers health care reform.

14 The joint resolution states that the Tenth Amendment to the
15 United States Constitution reserves those powers to the states
16 that are not delegated to the United States nor prohibited by
17 the states and on this basis the states have been primarily
18 responsible for regulation of the health insurance market.

19 The joint resolution further states that creation of a
20 federal health insurance exchange or connector would create
21 conflicting state and federal rules, would result in consumer
22 confusion and adverse selection, would require substantial
23 resources to provide duplicative functions, would undermine
24 the oversight role of the states, and would not improve
25 competition.

26 The joint resolution urges Congress not to institute new
27 federal review, oversight, or preemption of state health
28 insurance law, not to create a federal health insurance
29 exchange or connector, and not to create a federal health
30 insurance plan (public plan) option.